

REMARKS

Claims 1-39 are pending in the present application. In view of the following Remarks, allowance of the pending claims is respectfully requested.

Status of the Claims

Claims 1, 4-6, 9-12, 15, 16, and 19-39 stand rejected under 35 U.S. C. § 103(a) as allegedly being unpatentable over Hotaling et al. (U.S. Patent No. 5,124,912). Claims 2, 3, 7, 8, 13, 14, 17, and 18 stand rejected under 35 U.S. C. §103(a) as allegedly being unpatentable over Hotaling et al. in view of Tognazzini (U.S. Patent No. 5,790,974).

Rejection of Claims 1, 4-6, 9-12, 15, 16 and 19-39 under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1, 4-6, 9-12, 15, 16 and 19-39 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,124,912 to Hotaling, *et al.* Applicant respectfully traverses this rejection for at least the following reasons.

As for claim 1, Applicant respectfully submits that the Examiner has not established that each and every feature of claim 1 is taught in Hotaling in view of the Official Notice taken for at least the following reasons. The Examiner acknowledges that although Hotaling teaches a graphical user interface means for viewing a list of one or more potential invitees that are available, the one or more potential invitees that are not available, and the one or more potential invitees whose schedule could not be found, Hotaling "does not explicitly disclose that a user may select from at least three results viewing options including a viewing option displaying the one or more potential invitees that are available, a viewing option displaying the one or more potential invitees that are not available and a viewing option displaying the one or more potential invitees whose schedule could not be found, and then display the results according to the viewing option selected." The Examiner then takes Official Notice that "*the display of filtered data* based on a selected viewing option is old and well-known in the art of graphical user interfaces."

It is further alleged that "it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to provide a user of Hotaling's scheduling system with the ability to select from at least three results viewing options including a viewing option displaying the one or more potential invitees that are available, a viewing option displaying the one or more potential invitees that are not available and a viewing option displaying the one or more potential invitees whose schedule could not be found, and then display the results according to the viewing option selected in order to facilitate the user's decision regarding an adequate meeting date and time by providing viewing options which present various subsets of availability data in a more organized and more easily interpretable fashion."

Even if, for the sake of argument, the position regarding the Official Notice is assumed true, it merely indicates that the *general concept* of displaying of "filtered data based on a selected viewing option is old and well-known in the art of graphical user interfaces." There is nothing in Hotaling or the "Official Notice" that discloses or suggests what the Applicant is claiming. Specifically the claims address three specific and alternative views. These options include a viewing option displaying the one or more potential invitees that are available, a viewing option displaying the one or more potential invitees that are not available, and a viewing option displaying the one or more potential invitees whose schedule could not be found. There is no teaching or suggestion in the references relied on of such features. In the event that the Examiner chooses to maintain his rejection of Claim 1, Applicant respectfully requests that the Examiner point to the specific portions of Hotaling and/or to cite specific references that support the Official Notice taken by the Examiner that the missing features would have been obvious to one having ordinary skilled in the art at the time of the invention.

Additionally, Hotaling does not disclose or suggest a request generating means that *is located remotely from the server locations*. For at least these reasons, Applicant respectfully submits that claims 1, 4-6, 9-12, 15, 16 and 19-39 are patentably distinct over Hotaling in view of the Official Notice taken.

Independent claims 4-6, 25, 32 and 33 recite these and other patentable features. For at least these reasons, claims 4-6, 25, 32 and 33 also are patentable.

Similarly, dependent claims 2, 3, 7-24, 26-31, and 34-39 are believed to be patentable by virtue of their dependency to the independent claims and for containing other patentable features.

For at least the above reasons, Applicant request that the Examiner withdraw this rejection of claims 1, 4-6, 9-12, 15, 16, and 19-39.

Rejection of Claims 2, 3, 7, 8, 13, 14, 17, and 18 under 35 U.S.C. §103(a)

Claims 2, 3, 7, 8, 13, 14, 17, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hotaling et al. in view of Tognazzini. Applicant respectfully traverses this rejection on the following basis.

In the Office Action, it is acknowledge that although “Hotaling does not explicitly take invitee and event location into account in order to determine invitee availability for a particular event,” it is alleged that Tognazzini makes up for this deficiency. However, even if, arguendo, Tognazzini makes up this deficiency as alleged by the Examiner, Tognazzini does not make up for the deficiencies of Hotaling as it relates to claim 1 (and the other independent claims) as discussed previously. Claims 2 and 3 depend from independent claim 1, claims 7 and 8 depend from independent claim 6, claims 13 and 14 depend from independent claim 4, and claim 17 depend from independent claim 5. Based on their dependency, each of these dependent claims recite the feature “permitting a user to select from at least three results viewing options including a viewing option displaying the one or more potential invitees that are available, a viewing option displaying the one or more potential invitees that are not available and a viewing option displaying the one or more potential invitees whose schedule could not be found and then displaying the results according to the viewing option selected.” Neither Hotaling nor Tognazzini, taken alone or in combination, do not teach or suggest such a feature.

Further, Applicant respectfully submits that no suggestion or motivation to combined the two references was established in either the references or in the art of record. Hotaling discloses a system that allows user's to schedule meeting while Tognazzini discloses a portable personal calendaring system.

For the at least above reasons, Applicant submits that claims 2, 3, 7, 8, 13, 14, 17, and 18 are patentable over Hotaling in view of Tognazzini and request that the Examiner withdrawal this rejection.

CONCLUSION

Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,



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